

REMARKS/ARGUMENTS

Entry of this response and reconsideration and allowance of the above-identified patent application are respectfully requested.

Claims 1-23, 25-32, 34, 35, 38-42, 45 and 47-58 stand rejected in the office action. Claims 1, 8, 18, 35, 41, 47-49, 52 and 53 have been amended herein. Claims 25-32, 34, 56 and 58 have been canceled. Claims 59-66 have been added. Therefore, following entry of the present amendment, claims 1-23, 35, 38-42, 45, 47-55, 57 and 59-66 will be pending in the present application.

Claims 1, 8, 18, 25 and 35 stand rejected under 35 U.S.C. § 112, first paragraph. Claims 1, 2, 4 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,675,648 to Roth ("Roth") in view of U.S. Patent No. 5,387,821 to Steciuk *et al.* ("Steciuk"). Claims 3, 5-7 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view Steciuk and further in view of U.S. Patent No. 6,014,386 to Abraham ("Abraham"). In addition, claims 10-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Steciuk in view of Abraham and further in view of U.S. Patent No. 6,452,482 to Cern ("Cern"). Claims 18-23, 25-32 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cern in view of Roth and further in view of Steciuk. Finally, claims 35, 38-42, 45 and 47-48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth in view of Abraham and further in view of Steciuk.

Applicant would like to thank Examiner Previl for conducting an in-person interview with applicant's representative. Applicant and Examiner Previl discussed the disclosure of Roth in comparison with the claimed invention. While applicant and

Examiner Previl were in agreement that the proposed amendments overcome the prior art, Examiner Previl reserved the right to perform additional searching. In any event, the interview was helpful in facilitating and progressing the prosecution of the present application.

Briefly, the present invention communicates data signals over a power line and, in one embodiment, includes a transformer that comprises a core and winding that induces an AC voltage from the power signal carried by the power line. The induced voltage is used to power a transceiver that facilitates communication of the data signals via the power line. Applicant has amended the claims to make explicit that the core of the transformer is in sufficiently close proximity to the power line to induce a voltage in the winding from the power signal carried by the power line. Specifically, independent claims 1, 8, 18 and 35 have been so amended.

Claims 60-63, which depend from claim 1, and claims 64-66, which depend from claim 8, have been added. All the new claims are supported by the specification and no new matter has been added.

Claims 1, 8, 18, 25 and 35 stand rejected under 35 U.S.C. § 112, first paragraph. The office action states that the limitation "having a voltage greater than one thousand volts" is new matter because it is not described in the specification. Applicant respectfully disagrees and submits that the matter is supported. However, because it is applicants belief that the matter is unnecessary for patentability, the cited language has been deleted from the claims. More specifically, claims 1, 8, 18, 35, 47 and 53 have been amended to remove the cited language. Applicant

therefore requests reconsideration and withdraw of the rejections under 35 U.S.C. § 112.

Claims 1, 2, 4 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Roth. Specifically, the office action alleges that Roth discloses inducing an alternating current (AC) from the power signal carried by the power line. In addition, the office action states that Roth discloses a method comprising “powering a transceiver from the AC voltage (data signals are transferred between transceivers over existing AC power lines)(col.3, lines 11-13).”

Roth discloses a coupler for bypassing a transformer shown in Figures 1 and 2. As shown in Figure 2 of Roth, the coupler includes a transformer T that communicates the data signal but does not permit the power signal to bypass the distribution transformer (6, 8, or 10 in Figure 1). Thus, the transformer T provides added safety in the event of a failed capacitor. The transformer T of Roth includes a first winding and a seconding which are connected to the respective electrical networks via an inductor and capacitor. Thus, Roth does not disclose or suggest a core of the transformer in sufficiently close proximity to the power line to induce an AC voltage in the winding from the power signal carried by the power line. In addition, Roth does not disclose powering a transceiver with the induced voltage.

In summary, neither Roth nor the other prior art cited by the Examiner, alone or in combination, teach or suggest disposing a core of a transformer in sufficiently close proximity to the power line to induce an AC voltage in the winding of the transformer from the power signal carried by the power line and powering a transceiver with the induced voltage, as required by independent claims 1 and 8.

Accordingly, applicant respectfully requests withdrawal of the rejection of claims 1, 2, 4 and 8. Because a claim that depends from a patentably distinguishable claim is also patentably distinguishable, applicant respectfully submits that claims 3, 5, 7, 48-54 and 59-63, which depend from claim 1, and claims 9-17, 55 and 64-66, which depend from claim 8, are in condition for allowance.

The office action similarly relies on Roth for the rejections of independent claims 18 and 35. Consequently, for the same reasons discussed above, applicant respectfully requests withdrawal of the rejections of claims 18 and 35. Because a claim that depends from a patentably distinguishable claim is also patentably distinguishable, applicant respectfully submits that claims 19-23 and 57, which depend from claim 18, and claims 38-42, 45 and 47-48, which depend from claim 35, also are in condition for allowance.

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CONCLUSION

In view of the foregoing, applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested. In the event that the Examiner cannot allow the present application for any reason, the Examiner is encouraged to contact the undersigned attorney, Vincent J. Roccia at (215) 564-8946, to discuss resolution of any remaining issues.

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